

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

-----X CASE: 10-77338-REG

IN RE:

FERREL L. AGARD

Debtor

-----X

AFFIRMATION IN PARTIAL OPPOSITION

George Bassias, an attorney duly admitted to practice law in the Eastern District

New York affirms the following under penalty of perjury:

I am debtor's counsel as such am fully familiar with this case.

The movant's motion does not establish a relationship between "Mers" and First Franklin, the mortgagee, and is deficient since it is questionable on its face that "Mers" had standing to properly assign the within mortgage.

It is further unclear what relationship "Select Portfolio" has in this and where their authority comes from, and whether or not their numbers in terms of monies owed, is correct. "Mers" and "Select Portfolio" do not appear to have standing.

The motion should be denied or adjourned pending valid verification of the above stated.

Dated: Queens, NY
October 27, 2010



GEORGE BASSIAS
Attorney for Ferrel L. Agard

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Astoria, NY 11105
(718) 721-4441

To:

Steven J. Baum, PC
Attorney for Secured Creditor
220 Northpointe Parkway, Ste. G
Amherst, NY 14228

Robert L. Pryor, Esq.
Pryor & Mandelup LLP
675 Old Country Road
Westbury, NY 11590

United States Trustee
Long Island Federal Courthouse
560 Federal Plaza-Room 560
Central Islip, NY 11722-4437

Affirmation of Service

George Bassias, an attorney duly admitted to practice law in New York affirms the following to be true.

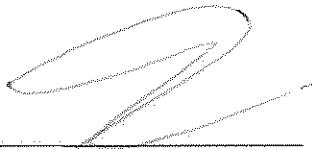
On October 27, 2010, I mailed a copy of the within Affirmation in opposition to the following by first class mail:

Steven J. Baum, PC
Attorney for Secured Creditor
220 Northpointe Parkway, Ste. G
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